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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,319	07/10/2003	James G. Stanley	5701-01292	1318

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DINNIN & DUNN, P.C.
2701 CAMBRIDGE COURT, STE. 500
AUBURN HILLS, MI 48326

EXAMINER


DUNN, DAVID R

ART UNIT PAPER NUMBER

3616

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/604,319	Applicant(s) STANLEY, JAMES G. 	
	Examiner David Dunn	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,13 and 19-24 is/are rejected.
- 7) ☒ Claim(s) 3,7-12 and 14-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/07/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements filed October 7, 2003 are acknowledged. See enclosed IDS forms.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4-6, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Stojanovski (6,301,977).

Stojanovski discloses a method of attaching a seat belt to a seat belt tension sensor, comprising: placing a webbing of the seat belt (12) through an opening in the seat belt tension sensor (50; see Figure 6; see also Figure 2), wherein said opening extends through a first portion of the seat belt tension sensor and through a carriage (30) of the seat belt tension sensor that is adapted to move relative to the first portion of the seat belt tension sensor responsive to a tension load applied to the webbing, wherein the opening through the first portion of the seat belt tension sensor is narrower than a nominal width of the webbing (40, 12; see Figure 7); and preventing

Art Unit: 3616

the webbing from generating a non-negligible force over a measurement range as a result of rubbing against a lateral side of the opening in the tension sensor (see Figure 7; belt is folded to be smaller than the opening so that it does not touch the lateral sides, therefore, no rubbing occurs). As shown in Figure 2, the width is constrained by stitching (56); note stitching extends into folded, narrower portion of belt. Regarding claims 4-6, as shown in Figure 9, there is a first and second portion maintained in a bunched or folded condition by sewing.

4. Claims 19-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Husby (5,996,421).

Husby discloses a carriage of a seat belt tension sensor, wherein the carriage (41) is adapted to engage a webbing of seat belt (38) and the carriage is adapted to move relative to a first portion (22) of the seat belt tension sensor in opposition to at least on spring (36) acting between the first portion and the carriage, whereby the amount of movement is responsive to a tension in the seat belt, the carriage comprising: an opening (see Figure 3) adapted to receive the webbing of the belt, wherein the opening cooperates with a corresponding opening in the first portion of the tension sensor; and a protrusion (see Figure 2) extending from the carriage, wherein the protrusion extends beyond an outer surface spanning across the opening. The carriage is narrower than the opening (see lower walls of 41; Figure 3); i.e., this portion is a groove.

Art Unit: 3616

Allowable Subject Matter

5. Claims 3, 7-12, and 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

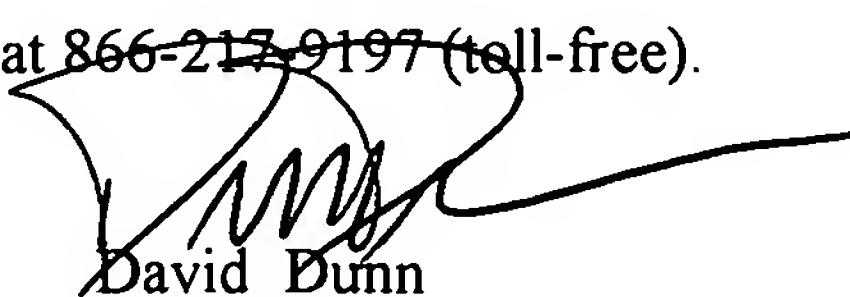
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rogers, Jr. et al. shows a tension sensing assembly.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 703-305-0049. The examiner can normally be reached on Mon-Thur, alt. Fridays, 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 703-308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David Dunn
Primary Examiner
Art Unit 3616